

PARTICIPANT RIGHTS

As a participant in the B.C.S.C.A.D.P. you have the following rights:

Right to be informed of the various steps and activities involved in receiving services.

Right to confidentiality under federal and state laws related to the receipt of services.

Right to make an informed decision whether to accept or refuse treatment. A voluntary participant who has not been adjudicated incompetent is entitled to refuse to submit to treatment. An involuntary participant who wishes to refuse to submit to treatment is entitled to refuse to submit to treatment. An involuntary participant who wishes to refuse to submit to treatment is entitled to petition the committing court or hearing officer for consideration of the treatment. In the absence of such a petition, the program may proceed with the proposed treatment. Whenever a participant gives an informed consent to receive services of the program, consent must be made in writing and included in the participant's file.

Right to humane care and protection from harm, abuse and neglect.

Right to practice the participant's religion.

Right to contact and consult with counsel and private practitioners of the participant's choice at the participant's expense.

Right to inspect and copy the participant's case record. By policy the program may permit the withholding from the participant all or part of the participant's record if:

- (i) withholding is necessary to protect the confidentiality of the sources of information;
- (ii) the participant is an inpatient;
- (iii) it is determined that the information requested is detrimental to the physical or mental health of the participant to harm himself/herself or another;
- (iv) the consent was not given freely, voluntarily, and without coercion; or
- (v) granting the request will cause substantial harm to the relationship between the participants and the program or to the program's capacity to provide service in general.

A participant's review of the participant's case record shall be recorded in the case record. Any denial of the participant's right to review the participant's record shall be recorded in the clients record, together with the reasons for denial of the review.

Waiver of rights. A participant may waive any of the rights enumerated in 440 IAC 2-3 if the waiver is given voluntarily and knowingly. Any waiver shall be in writing and documented in the participant's record. The waiver may be withdrawn at any time, and in no event may admission to a program be conditioned upon the giving of such a waiver.

Grievance

If you believe any of these rights have been violated, make your concern known to the Program Director by presenting your concern in written and/or verbal form.

If an agreement and/or satisfactory result is not reached within sixty (60) days of the initial contact, make your concern known to the Referring Court in written and/or verbal form for final resolution.

PARTICIPANT ORIENTATION INFORMATION

Program Philosophy

In any criminal proceeding in which the use or abuse of alcohol, drugs or harmful substances is a contributing factor or a material element of the offense, proper early intervention, medical, advisory or rehabilitative treatment of the defendant is likely to decrease the defendant's tendency to engage in antisocial behavior.

The goals of the program are to provide early intervention into the substance abusing behavior of offenders through the identification of offender problems and needs; and referral of offenders to appropriate community resources, including educational and treatment programs, and to respond to those identified problems and needs.

The objectives of the program are:

Reduce the recurrence of illegal substance abuse involved behavior among offenders who have been convicted of a substance abuse related offense.

Reduce the frequency and severity of substance abuse, as well as related personal and social problems, among substance abuse involved offenders who have participated in the program.

Eligibility Determination

Persons charged with an alcohol related or drug related offense or persons who commit a non-alcohol/drug related offense whose use or abuse of alcohol and other drugs is considered by the Judge to be a contributing factor are eligible for consideration for the Alcohol and Drug Services Program. The Judge has final determination as to the eligibility of the Defendant and also the authority to refer the Defendant as a condition of probation.

Rules of Conduct

I will, unless otherwise instructed, maintain monthly contact with the probation department.

I will attend all program related and/or referral agency sessions alcohol and/or drug free.

I will call in advance for any appointment I am unable to attend or make on time.

I will substantiate the reasons presented for a missed appointment, if requested.

I will keep my residence address and telephone number current at all

times.

I will obey all local, state and federal laws; and understand that being rearrested indicates a failure to follow this rule.

I will follow all recommendations as set forth by the B.C.S.C.A.D.P. in my referral plan.

I understand that I may be referred to an agency by this program and agree to pay assessed fees, if necessary, for the services provided as determined by said agency.

I will cooperate fully with said agency, following their rules and procedures as an extension of this program.

I agree to pay my program costs by the date set forth by the referring court.

I understand that a failure to comply with one or more of the above rules can cause termination of my participation in this program and I will then return to the Court for further action.

Hours of Service

The B.C.S.C.A.D.P. maintains regular operating hours of 8 am to noon and 1 pm to 4 pm, Monday thru Friday.

The B.C.S.C.A.D.P. will be closed whenever the Boone County Courthouse closes for holiday, weather conditions, funerals and/or other emergency situations.

The B.C.S.C.A.D.P. maintains Saturday hours for education classes. These hours vary and will be described to individual participants as necessary.

Fee Schedule for Program

Alcohol and Drug Assessment	\$50.00
12 Hour PRI Education	\$150.00- 200.00
20 Hour PRI Education	\$300
Intensive Correctional Treatment	\$400

Fees are to be paid by the date set by the referring court. Failure to pay fees by said date will bring the individual back to court for further action. Payment of the B.C.S.C.A.D.P. fees are made at the office of the Boone County Probation Department or Boone County Clerk.

If an individual is referred to another agency for additional service, the individual is responsible to that agency for any costs incurred.

Time in Program

An individual will remain in the B.C.S.C.A.D.P. until all requirements are met and/or for the time specified by the referring court. The time in this program will not exceed the maximum sentencing time possible for the referring offense.

CONFIDENTIALITY OF ALCOHOL AND DRUG ABUSE PATIENT RECORDS

The confidentiality of alcohol and drug abuse patient records maintained by this program is protected by Federal Law and Regulation. Generally, the program may not say to a person outside the program that a patient attends the program, or disclose any information identifying a patient as an alcohol or drug abuser unless:

1. The patient consents in writing
2. The disclosure is allowed by a court order
3. The disclosure is made to medical personnel in a medical emergency or to qualified personnel for research, audit or program evaluation.

Violation of the Federal Law and Regulations by a program is a crime. Suspected violation may be reported to appropriate authorities in accordance with Federal regulations.

Federal Law and Regulations do not protect any information about crime committed by a patient either at the program or against any person who works for the program or about any threat to commit such a crime.

Federal Laws and Regulations do not protect any information about suspected child abuse or neglect from being reported under State Law to appropriate State or local authorities.

See 42 USC 290dd-2 for Federal Laws and 42 CFR Part 2 for Federal Regulations.

Program Grievance Procedure

If you have a grievance with a staff member, you must speak with the Program Director and may be asked to put the complaint in writing. The Program Director will determine through investigation of the facts, if action should be taken. The results of such an investigation will be documented in your file.

If the grievance is with the Program Director, the complaint must be in writing to the Judge of Boone County Superior Court II. Similar procedures will be followed.

Complaints regarding the program staff or director will not influence in any way the services provided to you.